

A solicitor of the Supreme Court of Judicature for Ontario, who carries on proceedings for a client in the Exchequer Court of Canada is subject to the provisions of the Solicitors Act, and may be compelled to deliver a bill of costs for taxation.

Judgment of the Divisional Court, 34 C.L.J. 88; 29 O. R. 47, reversed in part, OSLER, J.A., dissenting.

*F. A. Anglin*, for appellant. *Arnoldi*, Q.C., for respondents.

From Falconbridge, J.]

RIELLE v. REID.

[Jan. 24.

*Fraudulent conveyance—Company—Fictitious incorporation—Election of remedies.*

When an insolvent trader forms, in accordance with requirements of the Ontario Companies Act, a limited liability company and conveys his assets to it, it cannot, in an action by his creditors, be treated as his mere alias and agent and the conveyance set aside. *Salomon v. Salomon* (1897) A. C. 22, applied.

A creditor cannot take the benefit of the consideration for a conveyance and at the same time attack the conveyance as fraudulent, and therefore where creditors seized shares in a company allotted to their debtor in consideration of the conveyance by him of his assets to the company it was held that they could not attack the conveyance.

Judgment of FALCONBRIDGE, J., 28 O. R. 497, reversed.

*Coatsworth*, for appellant, the liquidator. *F. E. Hodgins*, for appellant, M. Reid. *S. H. Blake*, Q.C., and *T. C. Thomson*, for the respondents.

From Divl. Court.]

MINHINNICK v. JOLLY.

[Jan. 27.

*Fixtures—Sale—Severance.*

An appeal by the plaintiff from the judgment of a Divisional Court, 34 C. L. J. 238 was argued before BURTON, C. J. O., OSLER, MACLENNAN, MOSS, and LISTER, JJ.A., on the 27th of January, 1899, and was dismissed with costs, the Court agreeing with the judgment below.

*Robinson*, Q.C., and *J. P. Moore*, for appellant. *Aylesworth*, Q.C., for respondent.

From Divl. Court.]

DOUGLAS v. STEPHENSON.

[Feb. 3.

*Defamation—Libel—Newspaper—Fair comment.*

An appeal by defendant from the judgment of a Divisional Court, reported 29 O. R. 616, was argued before BURTON, C. J. O., OSLER, MACLENNAN, MOSS, and LISTER, JJ.A., on the 1st and 2nd of February, 1899, and on the 3rd of February, 1899, was dismissed with costs, the Court agreeing with the judgment of the majority in the Court below.

*King*, Q.C., for appellant. *Shepley*, Q.C., for respondent.